

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

KELLY JAMES CLARK, JR.,

Plaintiff,

v.

Case No. 3:20-cv-17

DEPUTY GLENN TOMMY PAYNE, *et al.*,

Defendants.

DEFENDANTS' SECOND AMENDED LIST OF EXHIBITS FOR USE AT TRIAL

Defendants Colby Lee Miller and Kevin Carl ("Defendants"), by counsel, and pursuant to Fed. R. Civ. P. 26(a)(3), the Court's Trial Order, dated March 21, 2024 (ECF No. 147) and the Court's Order dated August 5, 2024 (ECF No. 163), files their Second Amended List of Exhibits.

Exhibit No.	Title of Document	Identification of Relevant Information
1	Body camera footage recorded by Deputy Payne on December 26, 2016.	Entire Footage
2	Body camera footage recorded by Officer Carl on December 30, 2016, at approximately 11:50 a.m.	Entire Footage
3	Body camera footage recorded by Officer Carl on December 30, 2016, at approximately 16:10 p.m.	Entire Footage
4	Logbook from Central Virginia Regional Jail with contemporaneous records of who was guarding Plaintiff during his stay at University of Virginia Hospital from December 26, 2016, through January 1, 2017 and the incidents that occurred during that stay. (D_000296-314)	Entire Document
5	Logbook Entries dated December 30, 2016. (D_000005-9)	Entire Document

6	Central Virginia Regional Jail's Duty Rosters from December 26, 2016, through January 1, 2017.	Entire Document
7	Officer Miller and Officer Carl's Incident Reports dated December 30, 2016. (D_000029-32)	Entire Document
8	Central Virginia Regional Jail's Inmate Handbook. (D_000033-97)	Entire Document
9	Sgt. Dudley Incident Report dated December 1, 2020, regarding Plaintiff's Grievance Form dated August 22, 2019. (D_000417-418)	Entire Document
10	Plaintiff's Responses to Requests for Admission from Officer Miller dated June 14, 2020.	Entire Document
11	Plaintiff's Responses to Requests for Admission from Officer Carl dated June 14, 2020.	Entire Document
12	Plaintiff's Responses to Defendants' First Set of Interrogatories dated October 15, 2020.	Entire Document
13	Plaintiff's Responses to Defendants' First Set of Requests for Production of Documents dated October 29, 2020.	Entire Document
14	Plaintiff's Supplemental Responses to Defendants' Requests for Admission, Interrogatories and Requests for Production of Documents dated January 6, 2021.	Entire Document
15	The order from the Louisa County Circuit Court convicting Plaintiff of attempted murder, attempt to disarm a law enforcement officer, and assaulting a law enforcement officer. (D_000162-000164)	Entire Document
16	The opinion from the Virginia Court of Appeals denying Plaintiff's appeal of his convictions. Dated June 18, 2020.	Entire Document
17	The order from the Virginia Court of Appeals denying Plaintiff's appeal of his convictions. Dated July 30, 2020.	Entire Document
18	Affidavit of Authenticity of Medical Records, UVA Hospital	Entire Document

19	Medical Records regarding Incident Notes and Police Reports (D_002025-2026, 2029-2032, 2100-2127)	Entire Document
20	Medical Records regarding Chest Tube Insertion on December 26, 2016. (D_002088, 002093-002095)	Entire Document
21	Medical Records regarding Plaintiff's First Surgery (D_002069-002071)	Entire Document
22	Medical Records regarding Plaintiff's Second Surgery (D_002074-002087)	Entire Document
23	Medical Records regarding Plaintiff's Medical Care on December 30, 2016 (D_001846-51, D_002115-2127)	Entire Document
24	UVA Medical Records – Discharge Summaries (D_001984-1992)	Entire Document
25	Plaintiff's Deposition Testimony from December 2, 2020.	Entire Document
26	Complaint dated Dec. 17, 2018 (ECF No. 3)	Entire Document
27	First Amended Complaint dated January 9, 2019 (ECF No. 4)	Entire Document
28	Second Amended Complaint dated November 25, 2019 (ECF No. 39)	Entire Document
29	Third Amended Complaint dated April 3, 2024 (ECF No. 148)	Entire Document
30	Any exhibit identified by plaintiff and not objected to by Defendants.	
31	Exhibits for impeachment.	

Respectfully submitted,

COLBY MILLER and
KEVIN CARL

By Counsel

/s/ Rachel W. Adams

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of August, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following counsel of record:

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